

Docket No.: 4600-0106P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Izumi KUMAGAI et al.

Application No.: 10/642,284

Confirmation No.: 2450

Filed: August 18, 2003

Art Unit: 1643

For: NOVEL DIABODY-TYPE BISPECIFIC
ANTIBODY

Examiner: A. L. Holleran

REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

MS 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I. REFUND REQUEST

Applicants respectively request for a refund with respect to the charges paid at the time when the Notice of Appeal was filed on January 28, 2008 in connection with the above-identified application.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
<input type="checkbox"/> filing fee	_____
<input type="checkbox"/> search fee	_____
<input type="checkbox"/> examination fee	_____
<input type="checkbox"/> surcharge for filing the basic filing on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
and/or	
<input type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
<input type="checkbox"/> extension of term	
<input type="checkbox"/> first month	_____
<input type="checkbox"/> second month	_____
<input checked="" type="checkbox"/> third month	<u>525.00</u>
<input type="checkbox"/> fourth month	_____
<input type="checkbox"/> excess claims	_____
<input type="checkbox"/> issue fee	_____
<input type="checkbox"/> petition fee	_____

<input type="checkbox"/>	patent maintenance fee	_____
<input type="checkbox"/>	first maintenance fee	_____
<input type="checkbox"/>	second maintenance fee	_____
<input type="checkbox"/>	third maintenance fee	_____
<input type="checkbox"/>	patent maintenance fee surcharge	_____
<input checked="" type="checkbox"/>	Other: Notice of Appeal fee	<u>255.00</u>

TOTAL REFUND REQUESTED \$780.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

The Amendment After Final was filed on October 29, 2007 in the present application. However, Applicants did not receive any communication from the Examiner until January 16, 2008 (i.e., Interview Summary for the telephonic interview originated by the Applicants' representative on January 9, 2008, after several phone inquiries).

Accordingly, Applicants respectfully request the Notice of Appeal and the Extension of Time fees in the amount of \$780.00 be refunded because these fees were necessitated by extraordinary delays on the part of the USPTO.

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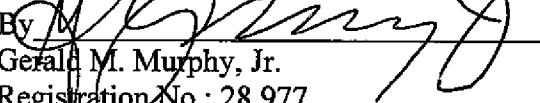
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IV. MANNER OF REFUND

Please make refund by crediting Account No. 02-2448.

Dated: JUL 14 2008

Respectfully submitted,


By _____
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Attachment(s)